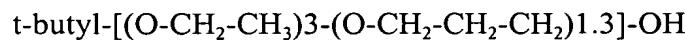


REMARKS

The Official Action of June 27, 2003 has been carefully considered and reconsideration of the application as amended is respectfully requested.

Claims 1, 4 and 10 have been amended to correct the recited definitions, including the definition of R, whereby to remove the bases for the objection and rejection appearing on page 2 of the Official Action. Corresponding amendments have been made to the specification. The amendments correct clerical errors in the specification as filed. As next discussed, both the existence of the errors and the appropriate correction of the errors would have been clear to one of skill in the art from the application as filed and the amendments thus do not introduce new matter (see MPEP Section 2163.07II).

When read in conjunction with the specification as a whole, the Examples in the specification make clear the correct structure of the compounds of formula (I). So, for example, in Example A2 on page 24 of the specification as filed, Compound A2 is identified as a compound of formula (I) wherein R represents a t-butyl group, n is 3 and m is 1.3. One of skill in the art would recognize this structure to be:



The t-butyl in this formula may also be expressed as: C_4H_9 (i.e., $\text{CH}_3\text{CH}_2\text{CH}_2\text{CH}_2^-$).

The specification as filed states that "k" represents the number of groups -[(EO)_n-(PO)_m]- which attach to R (see specification at, for example, page 5, lines 6-8). One of skill in the art would thus recognize that, if "k" were 2, the t-butyl group would be C₄H₈ (i.e., CH₃CH₂CH₂CH₃), and if "k" were 3, the t-butyl group would be C₄H₇ (i.e., CH₃CH₂CH₂C₂H₅). From this, it would be clear that, in original claim 1, the formula C_aH_{2a-k-1} is incorrect and that the correct formula is C_aH_{2a+2-k}. It would also be clear that, in the case where the t-butyl is also bonded to an R_a group (i.e., R_a-t-butyl), the t-butyl would have one fewer hydrogen (i.e., C₄H₈ when k=1; C₄H₇ when k=2; and C₄H₆ when k=3). It would thus be clear that, in original claim 1, the formula Ra-C_aH_{2a-k-2} is incorrect and that the correct formula is Ra-C_aH_{2a+1-k}. It would also be clear that "k" is used in the subscripts of the recited formulae to designate the number of groups -[(EO)_n-(PO)_m]- whereby the use of "k" in the formulae is not indefinite.

The amendments to the specification to reflect that T represents OH (instead of H) draw support from the specification as filed at, for example, page 3, line 23. The positioning of T within the parentheses in formula (I) would be clear, for example, from the specification at page 5, lines 20-27.

Claims 1, 2, 3 and 5-10 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Nagai et al. Applicants respectfully traverse this rejection.

The Examiner contends that Nagai et al teach that, in the surfactant

represented in Nagai by formula (5), R⁶ is a carbon chain having 6 to 14 carbon atoms. However, the surfactant represented by formula (5) is only one of a number of surfactants described in Nagai et al and, as Applicants have previously pointed out, the only compounds of this formula identified in the reference as "exemplary" embodiments are those in which R⁶=C₃H₇ (see Nagai et al at column 19, lines 34-35 and 51-52, and at column 20, lines 5-6 and 21-22). Thus, even assuming for the sake of argument that one of skill in the art would in fact understand Nagai et al to teach that, in formula 5, R⁶ **can** be a carbon chain having 6 to 14 carbon atoms, he or she would nevertheless understand that this is not the preferred or exemplary embodiment. As clearly and unequivocally stated in the reference, the exemplary embodiments are described in the examples (see Nagai et al at column 15, lines 57-61), wherein, for the surfactant of formula (5), R⁶ is C₃H₇.

Applicants now submit herewith a Declaration Under 37 CFR 1.132 executed by one of the co-inventors, Masahiro Yatake, which provides the results of comparative experimentation carried out with compositions wherein the R in the recited compound of formula (I) is hexyl (C=6) and wherein the R in the recited compound of formula (I) is propyl (C=3). The composition wherein the R is hexyl is within the scope of the claims whereas the compound wherein the R is propyl is not. (The claims require that the number of carbon atoms be between 4 and 10.) The printing samples incorporated into the Declaration show that images recorded with Ink Composition A according to the claimed invention are superior to those recorded with Ink Composition B, which is outside of the claimed invention. In particular, it

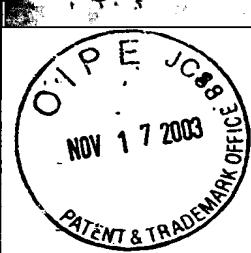
can readily be seen that Samples A-1 to A-3 recorded with Ink Composition A have less bleeding and higher optical density than Samples B-1 to B-3 recorded with Ink Composition B.

It is respectfully submitted that the results of the comparative experimentation could not have been expected from the cited reference, which teaches that, in a composition containing a surfactant of formula (5), the optimal number of carbon atoms in the R group is 3. Accordingly, it is respectfully submitted that the evidence in the declaration is sufficient to rebut any case of alleged *prima facie* obviousness set forth by the cited art. For this reason, it is respectfully requested that the prior art rejection of record be withdrawn.

In view of the above, all rejections and objections of record have been overcome and the application is believed to be in allowable form. An early notice of allowance is earnestly solicited and is believed to be fully warranted.

Respectfully submitted,

CLIFFORD J. MASS
LADAS & PARRY
26 WEST 61ST STREET
NEW YORK, NEW YORK 10023
REG. NO.30,086(212)708-1890



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

--ooo:0:ooo--

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NOV 24 2003

In re Application of

Masahiro YATAKE, et al.

Group Art Unit: 1755

Serial No. 09/660,012

Examiner: V. Faison

Filed: September 12, 2000

Docket No.: U-012948-0

For: INK FOR INK JET RECORDING

--ooo:0:ooo--

Honorable Commissioner of Patents and Trademarks
United States Patent and Trademark Office
Washington, D.C. 20231

Sir:

DECLARATION UNDER 37 CFR 1.132

I, Masahiro YATAKE, the undersigned, do hereby declare:

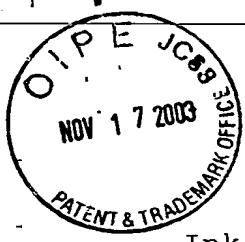
1. THAT I am a co-inventor of the invention described and claimed in the above patent application.

2. THAT the following experiments were conducted under my direction and control:

(1) Preparation of ink compositions

The two ink compositions having the following compositions were prepared in the same manner as described in the specification of the above application on page 23, line 30 to page 24, line 12.

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NOV 24 2003
TC 1700



Ink Composition A

Water-soluble pigment 1 (105)	7.5wt%
Glycerin	30.0wt%
Compound of formula (I) *	1.0wt%
Ion-exchanged water	Balance
*) The compound of formula (I) where R is hexyl (C=6), n is 1.5 and m is 5.	

Ink Composition B

Water-soluble pigment 1 (105)	7.5wt%
Glycerin	30.0wt%
Compound of formula (I) ** 1.0wt%	
Ion-exchanged water	Balance
**) The compound is represented by formula (I) where R is propyl (C=3), n is 6 and m is 10.	

(2) Evaluation of ink compositions

With Ink Composition A thus obtained, a printing was obtained by using Ink jet printer EM930C. The printing resolutions were changed into 720dpi, fine 360dpi and normal 360dip to give the printing samples A-1, A-2 and A-3. According to the same manner, the printing samples B-1, B-2 and B-3 were obtained. These printing samples are attached thereto.

3. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: September 2, 2003

Masahiro Yatake
Masahiro YATAKE

News Letter

No. 2 03/04/14

SEIKO EPSON CORPORATION

1998.03.02

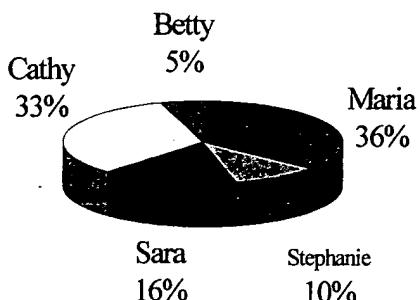
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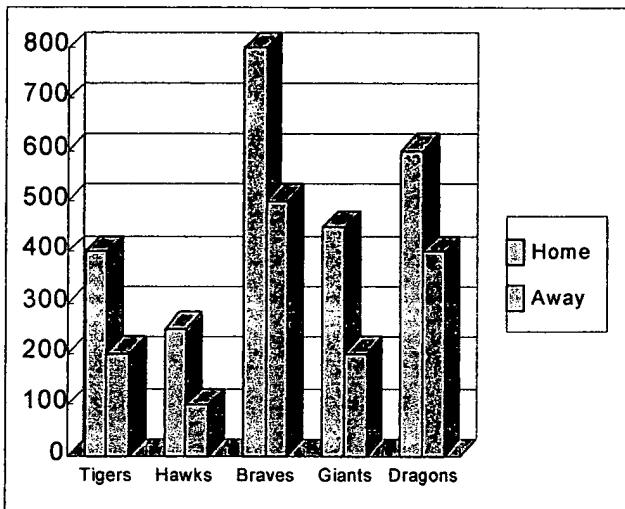
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Vote obtained



Inventory List



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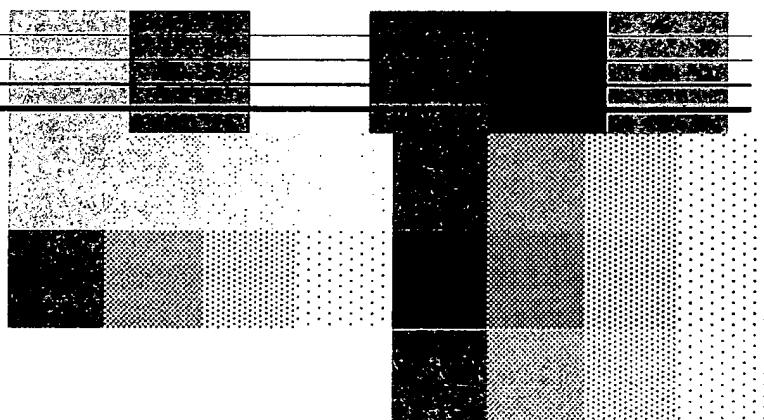
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M/C EM930C, media: Xerox 4024
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ink = E6105-1%



News Letter

No.2 03/04/14

SEIKO EPSON CORPORATION

1998.03.02

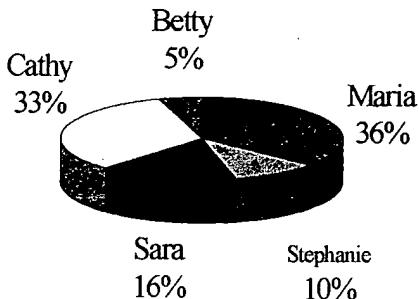
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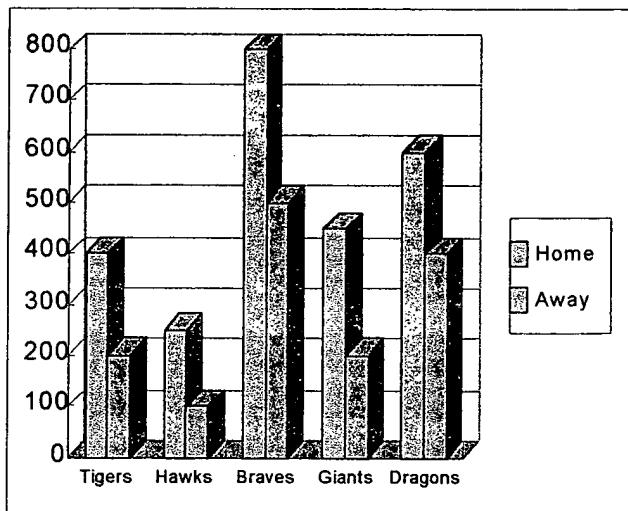
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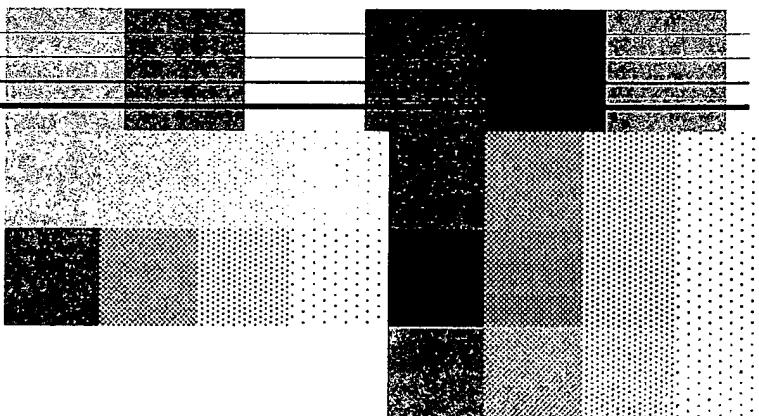
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 ink = E6105-1%



News Letter

No.2 03/04/14

SEIKO EPSON CORPORATION

1998.03.02

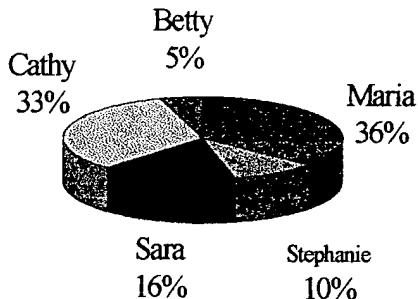
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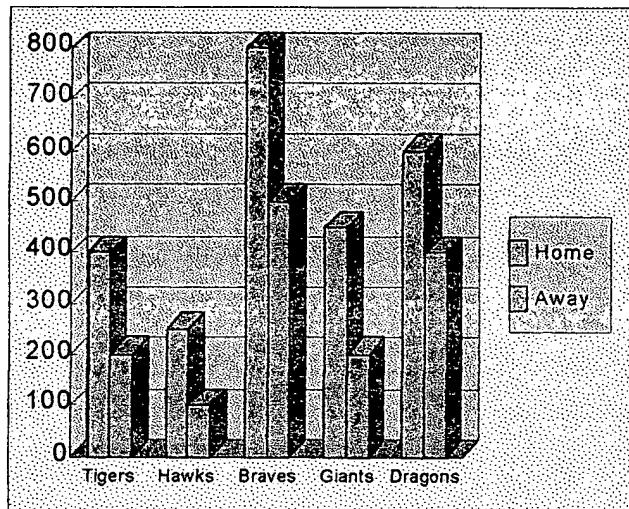
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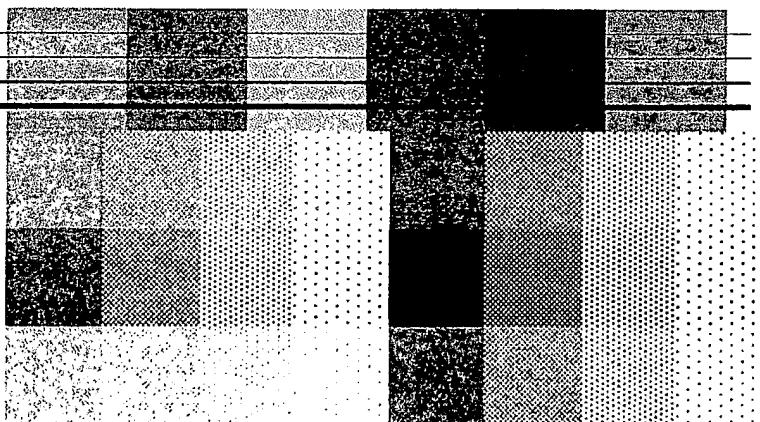
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M/C EM930C, media: Xerox 4024
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 ink = E6105-1%



News Letter

No. 2 03/03/12

SEIKO EPSON CORPORATION

2001.10.11

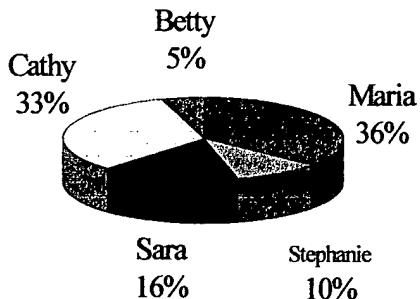
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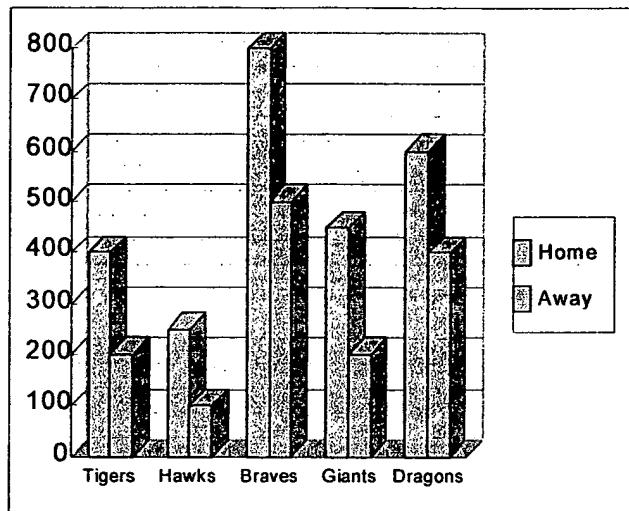
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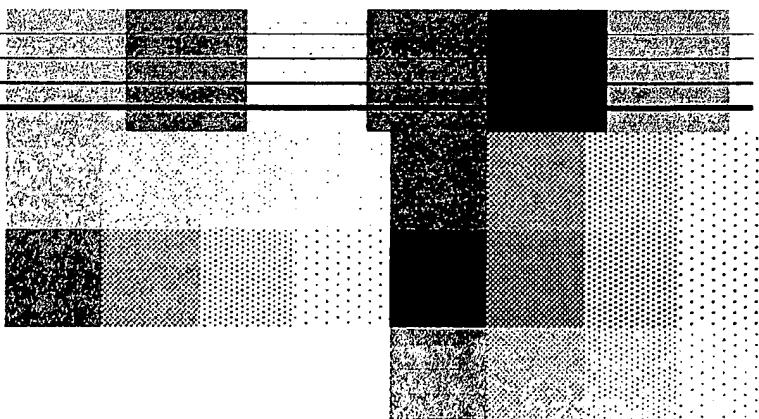
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M/C = Laplata, media: Xerox4024
 T-T: Speed Photo!-720dpi, MV = ON, HG = ON
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News Letter

No.2 03/03/12

SEIKO EPSON CORPORATION

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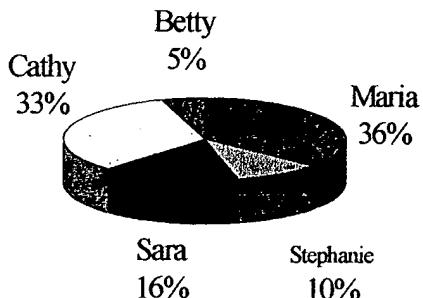
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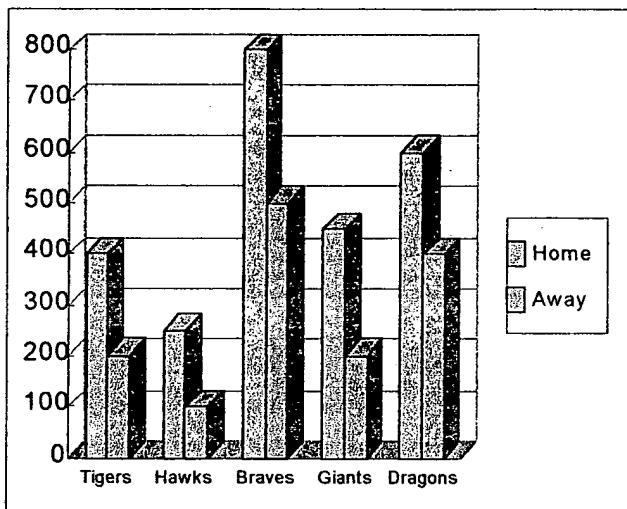
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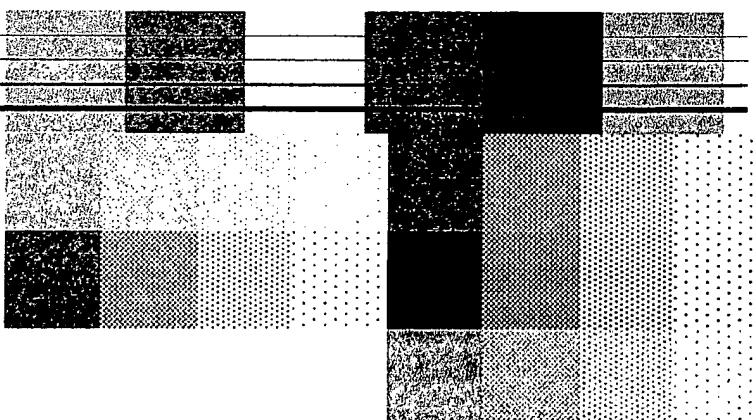
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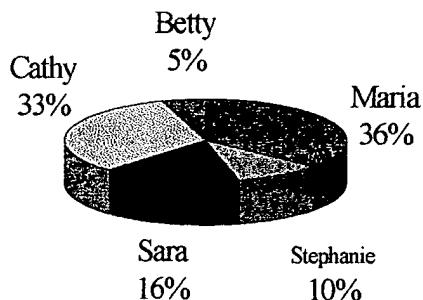
Employ News

Congratulation to the Arbor Footwear soccer team! They took first place in the recent city competition. Special thanks to team captain Bruno Martin(manufacturing), who told a TV reporter, "Great shoes are part of a sound strategy".

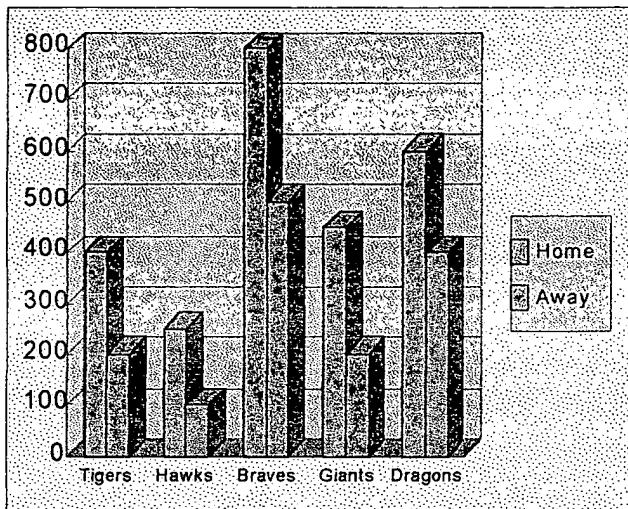
1. Writing contest winner

Maria Selvat took second place in the city's humorous essay contest. Co-workers encouraged her to write down the stories she tells on break time. Her winning story, "I was'nt born to ski," was their all-time favorite, told while they were singing the sast on her leg.

Vote obtained



Inventory List



■ 「エプソン マッハジェットカラープリンタ カラリオ MJ-810C/510C」

セイコーホーム株式会社(社長:安川英昭、本社:長野県諏訪市大和 3-3-5、電話:0266-52-3131(代))は、パソコン・ホームユース向けのマッハジェットカラープリンタとして高画質化・高速化をさらにすすめた新商品2機種「エプソン マッハジェットカラープリンタ カラリオ MJ-810C/510C」をエプソン販売株式会社(社長:木村登志男、本社:東京都新宿区西新宿 2-4-1 新宿 NSビル、電話:03-5321-4111(代))を通じ、6月1日より全国一斉に発売いたします。

当社では、成長の著しいフルカラーグラフィックス市場において、「カラーイメージングのエプソン」として高画質の入出力機器の提供と、使い勝手の向上や用途提案をおこない、フルカラーグラフィックス環境におけるソリューションの普及をリードしてきました。

今回の新商品2機種「エプソン マッハジェットカラープリンタ カラリオ MJ-810C/510C」は、昨年5月に発売以来、その高画質と「彩ちゃんの CD-ROM マニュアル」による使い勝手の簡便さにより、市場で高い評価を頂いている「エプソン マッハジェットカラープリンタ カラリオ MJ-800C/500C」の後継機種です。

2. Wedding Bells

Best wishes to **Thomas Bendel**(women's dress shoe division) and **Isabelle Mendel** (administration), who married last Friday night. For fun, co-workers prepared a hyphenated name plate for Isabelle's office door. It read: "Dr. Isabelle Mendel-Bendel."

M/C = Laplata, media: Xerox4024
 フォト: Speed Normal-360dpi, MV = OFF, HG = ON
 ink = PA-P06-EO10-1%

